

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In re

**ANDREW B. EAGLE
TONI L. EAGLE,**

Debtors.

Case No. **10-62698-7**

ORDER

At Butte this 29th day of December, 2010.

In this Chapter 7 case a Motion to Modify Stay was filed on December 7, 2010, by Wells Fargo Bank, NA successor by merger to Wells Fargo Home Mortgage, Inc. (“Wells Fargo Bank”) as Movant, including the notice of opportunity for hearing required under the Mont. LBR 4001-1(a) and LBF 8 giving parties fourteen (14) days to respond and providing that failure to respond by any entity will be deemed an admission that the Motion should be granted without further notice or hearing. The Motion was served on the Debtors, Debtors’ attorney, Trustee, and U.S. Trustee. The 14-day period has expired and no objection and request for hearing has been filed. In accordance with the Notice provision attached to Movant’s Motion, the failure of Debtors to respond is deemed an admission that the Movant’s Motion should be granted without further notice or hearing. Accordingly,

IT IS ORDERED Wells Fargo Bank’s Motion to Modify Stay filed on December 7, 2010 (Docket No. 5) is **GRANTED**; the stay is modified and Wells Fargo Bank is authorized to

seek foreclosure and liquidation of its security interest in real property located at 5753 Yukon Drive, Sun Valley, NV 89433, more particularly described as:

Parcel B of Parcel Map No. 857 for Jeffery and Nellie Baroli, according to the map thereof, filed in the Office of the County Recorder of Washoe County, State of Nevada on May 23, 1979 under File No. 607236, official records,

in accordance with applicable nonbankruptcy law and the terms of Wells Fargo Bank's Motion; and this Order is effective immediately, not stayed for fourteen days under F.R.B.P. 4001(a)(3).

BY THE COURT

A handwritten signature in cursive script, reading "Ralph B. Kirscher", is written over a horizontal line.

HON. RALPH B. KIRSCHER
U.S. Bankruptcy Judge
United States Bankruptcy Court
District of Montana